

REMARKS

This responds to the Office Action mailed on October 19, 2009. By this Amendment, claims 1, 48 and 53 are amended to clarify that the amended claim limitation requires prompting a user to select between the baseline mobile device configuration and updated mobile device configuration.

Independent claims 1, 48 and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2004/0192282 (Vasudevan) in view of U.S. Patent No. 5,008,814 (Mathur), in view of U.S. Publication No. 2004/0243993 (Okonnen) and further in view of U.S. Patent No. 7,346,634 (Fedorov). These rejections are respectfully traversed.

The Office Action cites to paragraphs 55 and 57-59 of Okonnen as teaching the claim 1 limitation of “upon determining that the update resource is stored in the mobile device memory during an initialization of the mobile device, prompting a mobile device user to select between the baseline mobile device configuration and the updated mobile device configuration,” along with the similar limitations in claims 48 and 53. The applicants respectfully disagree. Neither the cited passages from Okonnen, nor any other part of this or any other cited reference, teach or suggest this claim element. Rather, the cited passages from Okonnen teach that a user is presented with “[a] list of provisioned update agents,” and if the user selects an update agent, “the UA loader 127 may invoke the selected provisioned update agent and transfer control to the selected update agent.” (Okonnen, ¶ 58.) That is, Okonnen teaches selecting from a list of multiple available updates; it does not contemplate selecting between a baseline mobile configuration and an updated mobile device configuration, as claimed.

Moreover, the newly cited Fedorov reference does not cure this defect. The Fedorov reference merely teaches the ability to revert to an old configuration. It does not teach or suggest the claimed step of “upon determining that the update resource is stored in the mobile device memory during an initialization of the mobile device, prompting a mobile device user to select between the baseline mobile device configuration and the updated mobile device configuration.” Indeed,

Fedorov does not contemplate prompting the user during an initialization of the mobile device for any reason.

Independent claims 1, 48 and 53, along with their respective dependent claims, are thus patentable over the cited references and in condition for allowance.

Respectfully submitted,

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